

REMARKS

The present Amendment Response is responsive to the final Office Action mailed March 9, 2007. Claims 1-12, 16-31, 36-40, and 42-51 remain pending in the present application. By this Amendment, Claims 33 and 41 have been canceled and Claims 42-51 have been added. In addition, Claims 1-5, 7-8, 10-12, 16-24, 27, 29-31, and 36-40 have been amended. No new matter has been added by the foregoing amendments. Based upon the foregoing amendment and remarks, reconsideration and allowance of the application is requested.

All of the claims are allowable over Cockrill

The Office Action rejected all of the claims under 35 U.S.C. § 102(c) as being anticipated by U.S. Patent Publication No. 2002/0059114 A1 to Cockrill et al. ("Cockrill"). Applicants respectfully traverse the rejections for the reasons set forth below.

As described in further detail below, with respect to independent Claims 1, 2, 21, and 40 and their respective dependent claims, Cockrill does not teach or suggest determining if a received payment request will be accepted for execution by examining previous requests executed on behalf of the network user, where the request is associated with a first registration of the network user and one or more of the previously executed requests are associated with a second registration of the network user.

Cockrill

Turning now to Cockrill, a transaction network is provided that facilitates purchase transactions between customers and merchants. In Cockrill, the customer registers with the network by providing identity information and payment information. (paras. [0055] and [0069]-[0070]). Once registered, the user can sign on the network for a period of time and make purchases from the website of a merchant that is likewise registered with the network. (paras. [0055]-[0056] and [0071]). As a result of the purchase, a transaction record is created that identifies the customer, the merchant, and the amount of purchase. (paras. [0055] and [0076]). The transaction record is stored by the transaction engine at the merchant site. (para. [0076]). The network, and in particular, a polling agent within the network service center software,

periodically reviews the unbilled purchase transaction records of each customer resulting from the purchases made by the customer at any site. (paras. [0057] and [0076]). When the total amount of these records exceeds a threshold value, preferably determined based upon the amount at which the transaction costs for the form of payment provided by the customer becomes reasonable, the network generates a payment request requesting payment of the total amount. (Steps 1904-1905 in FIG. 19; paras. [0057] and [0078]). If the payment request has been settled, then each merchant from whom the customer purchased the items is credited with a portion of the corresponding purchase price, and the purchase transaction records are marked as paid. (para. [0058]). If the payment request has been denied, the network can take steps to immediately resubmit the payment requests or to cancel the account of the customer. (para. [0079]).

Furthermore, in Cockrill, the customer may create additional purchasing accounts that are associated with an existing payment account, either for others, or for himself / herself. (para. [0094]). This feature enables a company to pay for and track the purchases of its employees, a parent to pay for and track the purchases of his or her children, or an individual to separate his or her business purchases from his or her personal purchases. The network may also generate statements that permit a user of a payment account to review the purchases made using all of the purchasing accounts associated with the payment, and to determine the amount that will be requested in the next payment request generated by the network for the payment account. (para. [0097]).

Independent Claims 1, 2, 21, and 40 are allowable over Cockrill

As an initial matter, the “payment request” of Cockrill is substantially different than the “request for payment” of Claims 1, 2, 21, and 40. In particular, the “payment request” of Cockrill is a request to the payment processor to obtain funds from the customer. (See, e.g., para. [0078] (stating that “the network generates a payment request for the determined sum against the credit card, or other form of payment of the customer.”)). By contrast, in Claims 1, 2, 21, and 40, the payment request is a request to the service provider to execute a payment to a

payee such as a merchant. Accordingly, there is a fundamental difference between the “payment request” of Cockrill and than the “request for payment” of Claims 1, 2, 21, and 40.

Given the fundamental difference between the payment request of Cockrill and the present invention, it is not surprising that Cockrill likewise does not teach or suggest at least the following features of Claims 1, 2, 21, and 40: (i) determining if the received payment request will be accepted for execution by examining previous requests executed on behalf of the network user, (ii) where the request is associated with a first registration of the network user and where at least one of the previously executed requests is associated with a second registration of the network user.

First, Cockrill does not examine any previously executed payment requests in order to determine whether to accept a current payment request that has been received. Instead, with respect to purchases in Cockrill, as long as the customer is successfully authenticated with the network, the customer can complete the purchase without any examination of any previously executed requests (See, e.g., para. [0055] (stating that “[a]t the conclusion of registration process, the registered customer is permitted to purchase the item) and para. [0071] (stating that “[i]n order to complete the purchase, the customer activates the continue button”)). Indeed, Cockrill does not teach or suggest any process whatsoever for limiting when an authenticated user can make a purchase.

In addition, the transaction records generated in response to purchases in Cockrill are likewise not previously executed requests that are examined in order to determine whether to accept a received request to execute a payment to a payee. From the standpoint of the network in Cockrill, these transaction records are aggregated by the network to determine whether to generate a new payment request (e.g., if the aggregate amount exceeds a threshold), not to determine whether to “accept” a received request for execution. (See, e.g., para. [0057]). On the other hand, from the standpoint of the payment processor in Cockrill that received the payment request generated by the network, the transaction records are not examined to determine whether to accept the received payment request for execution. Indeed, Cockrill does not disclose any type of examination of previously executed payment requests to determine whether the payment processor will accept the payment request for execution. (See, e.g., para. [0057]). Accordingly,

nothing in Cockrill teaches or suggests determining if the payment request will be accepted for execution by examining previous requests executed on behalf of the network user. Accordingly, independent Claims 1, 2, 21, and 40 are allowable over Cockrill.

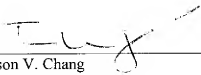
Second, as Cockrill does not teach or suggest examining any previously executed requests, it follows that Cockrill likewise does not teach or suggest examining previously executed requests from other registrations in order to determine whether to accept the current request for execution, as provided by independent Claims 1, 2, 21, and 40. As described in the specification of the invention, the examination of a previously executed request from another registration is used to determine the risk in accepting the current request for execution. (p. 28, lines 14-19). On the other hand, Cockrill provides that a customer can open up multiple purchasing accounts that are tied to a single payment account, for example, to allow an individual to separate his or her business purchases from his or her personal purchases (See, e.g., para. [0094]). However, with this multiple purchasing accounts feature, the network of Cockrill still aggregates the transaction records across the multiple purchasing account to determine, for a payment account, whether the network will generate a payment request (e.g., based upon whether the aggregate amount exceeds a threshold) to obtain funds from the customer. Yet, this aggregation of transaction records, whether or not across one or more purchasing accounts, only determines whether to generate the payment request, not whether to accept a previously received request for execution. Therefore, this multiple purchasing accounts feature in Cockrill still does not provide for examining previously executed requests from other registrations in order to determine whether to execute a received request for execution. Accordingly, independent Claims 1, 2, 21, and 40 are yet further allowable over Cockrill.

As independent Claims 1, 2, 21, and 40 are patentable over Cockrill, the dependent claims that depend from those independent claims are likewise allowable as a matter of law, notwithstanding their independent recitation of patentable features.

CONCLUSION

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

Respectfully submitted,



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